

translation

**PATENT COOPERATION TREATY**  
**PCT**  
**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**  
**(PCT Article 36 and Rule 70)**

Applicant's or agent's file  
 reference WO1512EGT

FOR FURTHER ACTION see Notification of Transmittal of International  
 Preliminary Examination Report (form PCT/IPEA/416)

International Appn. No.  
 PCT/JP03/05095

International filing date (day/month/year)  
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 26.04.02

International patent classification (IPC) or national classification and IPC  
 Int. Cl<sup>7</sup> H01M8/02

**Applicant**

Honda Giken Kogyo Kabushiki Kaisha

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before the Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_ sheets.

3. This REPORT contains indications relating to the following items:

- I  Basis of the report
- II  Priority
- III  Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV  Lack of unity of invention
- V  Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI  Certain documents cited
- VII  Certain defects in the international application
- VIII  Certain observations on the international application

Date of submission of the demand

27.10.2003

Date of completion of this report

02.03.2004

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# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.  
PCT/JP03/05095

## I. Basis of the report

1. With regard to the elements of the international application (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)):

the international application as originally filed

the description:

pages \_\_\_\_\_, as originally filed

pages \_\_\_\_\_, filed with the demand

pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

the claims:

Nos. \_\_\_\_\_, as originally filed

Nos. \_\_\_\_\_, as amended (together with any statement under Article 19)

Nos. \_\_\_\_\_, filed with the demand

Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_

the drawings:

sheets/fig \_\_\_\_\_, as originally filed

sheets/fig \_\_\_\_\_, filed with the demand

sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_

the sequence listing part of the description:

pages \_\_\_\_\_, as originally filed

pages \_\_\_\_\_, filed with the demand

pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

2. With regard to the *language*, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

the language of publication of the international application (under Rule 48.3(b))

the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3)).

3. With regard to any *nucleotide and/or amino acid sequence* disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

contained in the international application in written form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in computer readable form.

The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

the description, pages \_\_\_\_\_.

the claims, Nos. \_\_\_\_\_.

the drawings, sheet/fig \_\_\_\_\_.

5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box Additional observations below (Rule 70.2(c)).\*\*

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.  
PCT/JP03/05095

## V. The reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. STATEMENT

Novelty (N)                      Claims 1-4 YES  
                                      Claims \_\_\_\_\_ NO

Inventive Step (IS)              Claims \_\_\_\_\_ YES  
                                      Claims 1-4 NO

Industrial Applicability (IA)    Claims 1-4 YES  
                                      Claims \_\_\_\_\_ NO

## 2. CITATIONS AND EXPLANATIONS (PCT Rule 70.7)

Document 1: JP 2002-50368 A (NOK Co., Ltd.) 2002.02.15; claims, Fig. 1

Document 2: JP 2002-75401 A (New Japan Steel Co., Ltd.) 2002.03.15; claims, Fig. 3

Document 3: JP 11-129396 A (Aisin Takaoka Co., Ltd.) 1999.05.18; claims, Figs. 1 - 10

Document 4: JP 10-255824 A (Toshiba Co., Ltd.) 1998.09.25; claims, Fig. 5

## Claim 1

The invention as defined in claim 1 lacks inventive step over D1 and D2 cited in the International Search Report.

Document 2 shows a fuel cell separator having a central part made a metal member and a peripheral part made a resin member but fails to show an elastic member. However, Document 1 shows a fuel cell separator in which a resin member is connected to a metal member via an elastic member.

## Claim 2

The invention as defined in claim 2 lacks inventive step over D1, D2 and D3 cited in the International Search Report.

Document 3 shows a projecting central seal part provided on an elastic member in such a manner as to surround a central part.

## Claim 3

The invention as defined in claim 3 lacks inventive step over D1, D2 and D4 cited in the International Search Report.

Document 4 shows a fuel cell separator in which a projecting seal part is provided on a peripheral part thereof.

## Claim 4

The invention as defined in claim 4 lack inventive step over D1, D2 and D3 cited in the International Search Report.

Document 3 shows an elastic member and a seal member formed integrally from a rubber material.